



April 11, 2011

Via Electronic Filing

The Honorable Michael A. Shipp
Martin Luther King, Jr. Federal Building & U.S. Courthouse
50 Walnut Street, Room 4015
Newark, NJ 07101

Re: Sperry Associates Federal Credit Union v. CUMIS Insurance Society, Inc.
Case 2:10-cv-00029-DRD-MAS

Your Honor:

This firm represents defendant CUMIS Insurance Society, Inc. in the above-referenced matter. We write to respond to the letter filed earlier today on April 11, 2011, by plaintiff Sperry Federal Credit Union requesting the continuance of depositions scheduled to proceed this week.

CUMIS subpoenaed 3 non-party witnesses for depositions which are scheduled to go forward this week on April 12, 13 and 14, 2011. This morning we learned from counsel for Sperry that Mr. Rosenberg's father fell ill and Mr. Rosenberg had planned to attend the depositions this week. Therefore, Sperry requested that the depositions be continued to accommodate Mr. Rosenberg. I advised counsel for Sperry that while under the circumstances we would normally be willing to accommodate Sperry's request, I had already travelled to the east coast, and that given the upcoming discovery deadline of May 2, and the fact that we subpoenaed third party witnesses who we have no control over, we would need to proceed with the depositions as scheduled.

I later learned that the father of Mr. Rosenberg had passed away. I then spoke with counsel for Sperry, Ken Pagliughi, explained CUMIS' concerns with the discovery deadline and subpoenaing third parties. Mr. Pagliughi expressed his understanding and we agreed to go forward with tomorrow's deposition until we hear from the Court.

Respectfully Submitted,

/s/ Valerie D. Rojas, VDR-9984

cc: Counsel of Record (Via ECF)